

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALICIA KATHLEEN CRUZ, aka
ALICIA KATHLEEN ARMSTRONG,

Defendant.

NO. CR08-031TSZ

ORDER CONTINUING
TRIAL DATE

ORDER

The Court, having reviewed the records and files herein and considered the stipulation of the government and Defendant Alicia Kathleen Cruz, aka Alicia Kathleen Armstrong, makes the following findings and enters the following order:

1. On January 31, 2008, a Grand Jury charged Defendant in a 9-count Indictment. Defendant is charged with two counts of Felon in Possession of a Firearm, three counts of Bank Fraud, two counts of Social Security Fraud, and two counts of Aggravated Identity Theft. During the prosecution of this case, based on the government's unopposed motion, Alicia Cruz has been detained at the Federal Detention Center in SeaTac, Washington.

2. On February 7, 2008, Defendant was arraigned and her trial date was set for March 31, 2008. Since that time, the government has provided discovery to her attorney.

1 3. In February 2008, the government received information regarding
2 additional illegal conduct potentially involving defendant and other uncharged co-
3 conspirators.

4 4. On February 28, 2008, the government and defense counsel discussed the
5 need for additional time for the government to supplement discovery, including providing
6 witness statements and other documents, based on law enforcement's on-going
7 investigation.

8 5. On March 9, 2008, Defendant signed and filed a written waiver of speedy
9 trial, waiving her right to a speedy trial under the provisions of the Sixth Amendment and
10 the Federal Speedy Trial Act, 18 U.S.C., Sections 3161, et. seq., through July 30, 2008.

11 6. The ends of justice outweigh the best interest of the public and the
12 defendant in a speedy trial. Based upon the parties' need to prepare the matter for trial, a
13 failure to grant the motion for a continuance would result in a miscarriage of justice.

14 7. The parties have requested and stipulated to this first continuance of the trial
15 date, which is GRANTED.

16 IT IS HEREBY ORDERED that the trial date is continued from March 31, 2008,
17 to July 21, 2008.

18 IT IS FURTHER ORDERED that, for purposes of computing the time limitations
19 imposed by the Speedy Trial Act, Title 18, United States Code,

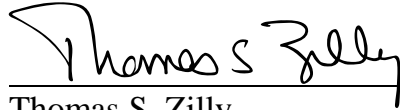
20 //

21 //

22 //

1 Sections 3161-3164, the period of delay from March 13, 2008, to July 30, 2008, is
2 excludable time pursuant to Title 18, United States Code, Section 3161(h)(8)(B)(iv).

3
4 DONE this 17th day of March, 2008.

5 
6 Thomas S. Zilly
7 United States District Judge

8
9 Presented by:

10 /s Johanna Vanderlee
11 JOHANNA VANDERLEE
12 Special Assistant United States Attorney
13 WSBA Bar # 19178
14 Telephone: (206) 553-4259
15 Fax: (206) 553-0755
16 E-mail: johanna.vanderlee@usdoj.gov
17
18
19
20
21
22
23
24
25
26
27
28